

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RYAN LESSEM and DOUGLAS JOHNSON,

Plaintiffs,

v.

JAYCEON TERRELL TAYLOR p/k/a THE
GAME, et al.,

Defendants.

CASE NO. 07-CV-10601 (LLS)

**DECLARATION OF
CURTIS JACKSON**

CURTIS JACKSON, pursuant to 28 U.S.C. § 1746, declares under the penalty of perjury, as follows:

1. I am a recording and performing artist, professionally known as "50 Cent."
2. I submit this declaration based on personal knowledge of the facts set forth herein, other than those stated upon information and belief.
3. I am informed that two individual plaintiffs named Ryan Lessem and Douglas Johnson ("Plaintiffs") have asserted a claim of copyright infringement in this action, claiming that a song I co-wrote, entitled "How We Do", which appears on the 2004 album entitled *The Documentary*, by the artist Jayceon Taylor, p/k/a "The Game", copies Plaintiffs' song called "Elevator".
4. I never heard of Mr. Lessem or Mr. Johnson until now.
5. I never met either of them, and never received any of their music, including a song called "Elevator".
6. The music underlying the lyrics of "How We Do" was provided to me by, and to the best of my knowledge, written by, Andre Young, p/k/a Dr. Dre, with his co-producer, Michael Elizondo.

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7. All of the rap lyrics of "How We Do" were written by me and Jayceon Taylor, p/k/a The Game.

8. I wrote the rap lyrics to the chorus of "How We Do", including the lyric "*this is how we do*". I wrote these lyrics by myself, without the contribution or participation of anyone else.

9. I did not witness and did not contribute to the creation or recording of the underlying music track for "How We Do".

10. I received a copy of the underlying music track that I was informed had been separately created and recorded by Michael Elizondo and Andre Young p/k/a Dr. Dre at a different location. I then recorded my vocals to their beat. It is standard practice in hip hop recordings for rappers to rap over music previously recorded by a producer.

11. None of the other three writers of "How We Do" (Mr. Taylor, Mr. Young, or Mr. Elizondo) were present in the studio when I recorded my lyrics to the chorus, including the words: "*this is how we do*".

12. I did not witness and did not contribute to Mr. Taylor's writing or recording of the lyrics in the verses of "How We Do". As I did with the chorus, Mr. Taylor separately recorded his vocal tracks to the underlying music of "How We Do" in a different location. Our vocal tracks were then later combined into the final recording.

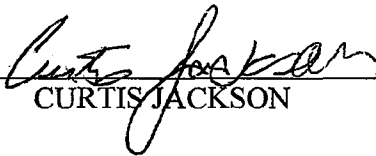
13. I alone and independently came up with the phrase "*this is how we do*" to use in the song "How We Do." This is a common expression in hip hop culture. I had heard the phrase many times before 2004, including in 1999, when I recorded and co-wrote a song called "How To Rob" with a performer professionally known as The Madd Rapper, in which the lyric

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"this is how we do" also appears. "How to Rob" was commercially released on the soundtrack album for the 1999 movie *In Too Deep* and on The Madd Rapper's debut album in 2000.

14. I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 7, 2009 in New York, New York.


CURTIS JACKSON